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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARIA PEREZ,

Plaintiff,

v.

BELMONT CHRISTIAN SCHOOL, et al.,

Defendants.

No. 05 C 5605

MEMORANDUM ORDER

Maria Perez ("Perez") has filed a self-prepared Complaint of Employment Discrimination¹ against her ex-employers, identified as either or both of Belmont Christian School and Belmont Assembly of God. This sua sponte order addresses both Perez' In Forma Pauperis Application ("Application") and one substantive aspect of her action of which she should be aware.

As for the Application, although its Paragraph 4 reflects the absence of any cash in hand, its Paragraphs 2, 3.b and 3.d show that Perez and her husband have a combined monthly income of \$3,400. That being the case, the Application does not support a grant of in forma pauperis status. Accordingly the Application is denied, but without prejudice to a possible further showing

¹ "Self-prepared" is used in the sense that Perez has used the form Complaint provided by this District Court's Clerk's Office, filling in the form's blanks, checking off the applicable alternative and attaching copies of her Charge of Discrimination filed with the Illinois Department of Human Rights and the EEOC plus EEOC's right-to-sue letter.

that would demonstrate Perez' possible entitlement to in forma pauperis treatment.

In the meantime, however, with Perez having received the right-to-sue letter on June 30, 2005 according to Complaint ¶8(b), her submission of the Complaint on September 28 came on the last day of the 90-day period allowed by statute. Perez should not be prejudiced by the fact that either the later payment of the \$250 filing fee or any further filing referred to in the preceding paragraph could render this lawsuit untimely. Accordingly, if she either pays the filing fee or makes a satisfactory showing calling for in forma pauperis treatment on or before October 21, 2005, the September 28 date will continue to be considered as the filing date of this action.

This Court has also noted that Perez filed her Charge of Discrimination over two years ago--on August 14, 2003. No plaintiff should be permitted to let an employment discrimination claim lie fallow for such an extended period of time so that, if successful, plaintiff would be entitled to back pay for the extended period during which the charge was pending. That issue of course remains for the future, but Perez should be aware of that consideration.



Milton I. Shadur
Senior United States District Judge

Date: October 3, 2005